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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,780	12/19/2005	Marcus Heilig	930108-2021	6721
7590 Ronald R santucci Frommer Lawrence & Haug 745 Fifth Avenue New York, NY 10151			EXAMINER CHOW, CHARLES CHLANG	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 09/19/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/540,780

Applicant(s)

HEILIG, MARCUS

Examiner

CHARLES CHOW

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

1. This office action is for amendment 7/2/2008.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Taguchi [US 6,160,417].

For claim 1, Taguchi teaches an installation for exchanging information [Fig. 4, col. 1, lines 6-14] comprising a transmitter [44] supplied from a power supply [V1+V2 on 46], an electric cable [cable for 51] of which a first conductor is connected to a point of fixed potential GNDA of the transmitter [the ground potential for the io current return from ground 50/48 to ground terminal of V2, Fig.4, col. 10, lines 37-45] and

of which a second conductor [51] is connected to a point of variable potential of the transmitter [the variable potential at 45, via transistor 49, to supply voltage at 46 & the pulling down potential by transistor 50, col. 10, lines 29-45] and at least one receiver [53], wherein the receiver or the receivers comprise a component [V2/V1] defining a threshold voltage opposing the flow of the electric current through the cable [the VTT has the voltage of V2, for the current io which opposing the current ii, Fig. 4, col. 10, lines 54-63].

Taguchi teaches a threshold voltage, VTT/V2, which inherently performs a function to oppose the interference current flow, current ii, by current io [Fig. 4, col. 10, lines 54-63],

such that an interference voltage must be greater than this threshold voltage in order to be interpreted as information [the interference voltage at terminal 54 has to be greater than the threshold voltage V_{ref} , which is V_2 , Fig. 4, in order to be interpreted as the information at the output of 53, description for 53-56 in the specification].

For claim 2, Taguchi further teaches the wherein the component [V_2] defining a threshold voltage [V_2] opposing the flow of the electric current through the cable 51 [col. 10, lines 54-63] is a dry-cell or an electric accumulator [voltage generating 39 for V_2 , Fig. 4].

. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi in view of Houldsworth et al. [US 5,793,754].

For claim 3, Taguchi fails to teach the zener diode.

Houldsworth teaches the wherein the component [zener 52, Fig. 8] defining a threshold voltage opposing the flow of the electric current through the cable [opposing the current coming in from 41 to Rx 53] comprises a Zener diode [52] supplied with a continuous current [current from 45], such that between its terminals it exhibits a voltage substantially equal to its Zener voltage even in the absence of current in the cable [the zener voltage from 52 is generated from fixed power supply 24, transistors 45/49, & its surrounding circuit, Fig. 8], in order to easily control the current flow from data terminal 41 with a zener threshold voltage. Therefore, It would have been obvious to one of ordinary skill in the art at

the time the invention was made to upgrade Taguchi with Houldsworth's zener threshold voltage, such that the current flow from the data terminal could be easily controlled by a zener threshold.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi in view of Houldsworth, as applied to claim 3 above, and further in view of Dombrowski et al. [US 6,275,167 B1].

For claim 4, Taguchi, Houldsworth fail to teach the sum of the Zener voltage of the Zener diode and of the emitter-base voltage of a transistor whose emitter is linked to the anode of the Zener diode.

Dombrowski et al. [Dombrowski] teaches the wherein the threshold voltage opposing the flow of the electric current through the cable is the sum of the Zener voltage of the Zener diode and of the emitter-base voltage of a transistor whose emitter is linked to the anode of the Zener diode [the threshold voltage created by Z2 & the base to emitter voltage of Q13, in Fig. 7, to oppose the current coming from the Bus terminal, col. 6, line 43 to col. 7, line 7; for the different circuit application, anode can be coupled to the emitter of Q13], Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Taguchi, Houldsworth with Dombrowski's Z2 & Q13 for the threshold voltage, such that transistor turning on voltage is based on the zener threshold voltage.

5. Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi in view of Iyer et al. [US 6,593,768 B1].

For claims 5-6, Taguchi fails to teach the threshold voltage is greater than 2 volts.

Iyer et al. [Iyer] teaches the wherein the threshold voltage is greater than 2 volts [the voltage on the data line is 2.7 to 3.6 volts, USB 1.1 specification, col. 4, lines 12-42], such that the threshold voltage can be applied for the USB standard specification, for the USU application. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Taguchi with Iyer's 2.7 to 3.6 threshold voltage, such that the threshold voltage can be applied to the USB standard specification, for the USU application.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi in view of Houldsworth, as applied to claim 3 above, and further in view of Iyer-'768 B1.

For claim 7, Taguchi fails to teach the threshold voltage is greater than 2 volts.

Iyer et al. [Iyer] teaches the wherein the threshold voltage is greater than 2 volts [the voltage on the data line is 2.7 to 3.6 volts, USB 1.1 specification, col. 4, lines 12-42], such that the threshold voltage can be applied for the USB standard specification, for the USU application. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Taguchi, Houldsworth with Iyer's 2.7 to 3.6 threshold voltage, such that the threshold voltage can be applied to the USB standard specification, for the USU application.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Taguchi in view of Houldsworth, Dombrowski, as applied to claim 4 above, and further in view of Iyer-'768 B1.

For claim 8, Taguchi fails to teach the threshold voltage is greater than 2 volts.

Iyer et al. [Iyer] teaches the wherein the threshold voltage is greater than 2 volts [the voltage on the data line is 2.7 to 3.6 volts, USB 1.1 specification, col. 4, lines 12-42], such that the threshold voltage can be applied for the USB standard specification, for the USU application. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Taguchi, Houldsworth, Dombrowski with Iyer's 2.7 to 3.6 threshold voltage, such that the threshold voltage can be applied to the USB standard specification, for the USU application.

Response to the Argument

8. Applicant's arguments filed 7/2/2008 have been fully considered but they are not persuasive.

Regarding applicant amendment based on the no teachings for the such that an interference voltage must be greater than this threshold voltage in order to be interpreted as information [page 5 of applicant's amendment 7/2/2008],

Taguchi teaches a threshold voltage, VTT/V2, which inherently performs a function to oppose the interference i_i current flow, by current i_o [Fig. 4, col. 10, lines 54-63],

such that an interference voltage must be greater than this threshold voltage in order to be interpreted as information [the interference voltage at terminal 54 has to be greater than the threshold voltage V_{ref} , which is V_2 , Fig. 4, in order to be interpreted as the information at the output of 53, description for 53-56 in the specification].

Other reference from **Lynch et al. [6,813,483 B1]** also teaches the opposing current flow from 62 & periodically turned on by current control 69, to reduce interference/current flow from transmitter 52 to the receiver 54 via cable 56, having the threshold voltage generated by V_B , Fig. 3 to Fig. 6 & its description in the specification].

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system.

Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow /C. C./
Examiner, Art Unit 2618
September 3, 2008.

/Edward Urban/
Supervisory Patent Examiner, Art Unit 2618